



Staffing for Adequate Fire and Emergency Response (SAFER) Grants Program

Program Guidance

June 2012

Fiscal Year 2012



U.S. Department of Homeland Security

OVERVIEW INFORMATION

Issued By: U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency, Grant Programs Directorate (GPD)

Catalogue of Federal Domestic Assistance (CFDA) Number: 97.083

CFDA Title: Staffing for Adequate Fire and Emergency Response (SAFER)

Funding Opportunity Announcement Title: Staffing for Adequate Fire and Emergency Response (SAFER)

Authorizing Authority for Program: SAFER authority is derived from the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. §2229a et seq.).

Appropriation Authority for Program: Consolidated Appropriations Act, 2012 (Division D-Department of Homeland Security Appropriations Act, 2012), Public Law 112-74.

FOA Number: DHS-12-GPD-083-000-99

Key Dates and Time:

Application Start Date: 7/16/12 (8:00 a.m. EDT)

Application Submission Date: 8/10/12 (5:00 p.m. EDT)

Funding Selection Date: N/A

Award Date: No later than 9/30/13

Application Submission Extension: Is an extension to the application submission deadline permitted? Yes No

Intergovernmental Review: Is an intergovernmental review required? Yes No

FOA EXECUTIVE SUMMARY

Program Type: Select the applicable program type: New Continuing One-time

Opportunity Category: Select the applicable opportunity category: Discretionary/Competitive
 Mandatory/Non-competitive Both

Application Process: DHS makes all funding opportunities available through the common electronic “storefront” grants.gov, accessible on the Internet at <http://www.grants.gov>. If you experience difficulties accessing information or have any questions, please call the grants.gov customer support hotline at (800) 518-4726.

1. Applications are accessible via <http://www.fema.gov/firegrants>. The automated application is designed with help screens and drop-down menus to assist the applicant throughout the application process. Applicants can save their work and retrieve it for updates and revisions through the end of the application period.

Note: Once an application has been completed and submitted, no changes can be made.

The automated system does not allow an applicant to submit an incomplete application. The system alerts the applicant when required information has not been entered. By submitting an application online, the applicant will automatically receive confirmation via e-mail the application was successfully submitted.

The online system will allow one authorized representative of an eligible organization to log on and create a user name and password. The selection of the authorized representative is at the discretion of each applicant.

Applicants also should record their user name and password for future access to their application.

2. Paper applications are available. However, they are discouraged because of the inherent delays associated with processing. Additionally, paper applications do not have the built-in assistance of the electronic application or the assurance the application has been accurately completed. Applicants who wish to use a paper application may request one be sent to via US Postal Service by calling the Help Desk at 1-866-274-0960.

Paper applications will not be sent to prospective applicants via overnight delivery, fax, or e-mail.

Paper applications must be mailed to:

**Cabazon Group
ATTN: AFG Grant Program
11821 Parklawn Drive, Suite 230
Rockville, MD 20852**

Applications mailed to any other address may miss the appointed closing date and therefore will be disqualified and ineligible for funding.

All applications must be completed and submitted electronically, or postmarked on or **before the close of business, by 5:00 p.m. (EDT) on Friday, August 10, 2012.**

Only electronic applications submitted via the online, automated grant application system will receive a confirmation of receipt. Applicants should print a copy of the confirmation for their records upon receiving verification that their application has been successfully submitted. No confirmation will be issued for paper applications. Incomplete applications or applications submitted via any other electronic means, including e-mail or fax, automatically would be deemed ineligible.

Under the Recruitment and Retention Category only, applicants are allowed to hire, or otherwise employ the services of, a grant writer to assist in the application process. However, the applicant is responsible for ensuring the information contained in the submitted application is a true and accurate reflection of their organization and represents the scope of effort being proposed and the time and cost required to achieve it. Therefore, applicants are strongly encouraged to review all work produced by grant writers, or other third parties on their behalf, **prior** to submission of their application. Applicants who falsify their application or misrepresent their organization or proposal in any manner will have their application deemed ineligible by the Program Office and referred to the Office of Inspector General for further action, as appropriate.

3. Dun and Bradstreet Data Universal Numbering System (DUNS) number

The applicant must provide a DUNS number with their application. Organizations should verify they have a DUNS number, or take the steps necessary to obtain one, as soon as possible. Applicants can receive a DUNS number at no cost by calling the toll-free DUNS Number request line at (866) 705-5711.

4. Central Contractor Registration (CCR)

Per OMB guidance from August 27, 2010, federal agencies must require prime recipients of federal grants to register in the Central Contractor Registration (CCR) system. The CCR system is the primary registrant database for the U.S. Federal Government. CCR collects, validates, stores, and disseminates data in support of agency acquisition missions. CCR registration is free and must be conducted online at <http://CCR.gov>.

There is no charge to register in CCR and it is your organization's responsibility to register during the application period. **CCR registration is not required prior to application, but will be required if you are selected for award.**

For new registration, go to: <http://www.bpn.gov/ccr/grantees.aspx>

- A DUNS number is required to apply for a grant and to register in CCR.
- The new CCR registration is NOT a requirement to apply for a grant but as a potential grantee, you should register

- If your city already has a DUNS number, check first to see if the city is already registered in CCR and if their CCR is current
- CCR Registrants must revalidate their registration at least once per year to maintain an active status

Step 1: Access the CCR online registration through the CCR home page. Click on *Start New Registration*. You must have a Data Universal Numbering (DUNS) number in order to begin the registration process.

Step 2: Complete and submit the online registration. If you already have the necessary information on hand, the online registration takes approximately one hour to complete, depending upon the size and complexity of your business or organization.

The necessary information includes:

1. **General Information** – Includes, but is not limited to, DUNS number, Commercial and Government Entity (CAGE) Code, company name, Federal Tax Identification Number (TIN), location, receipts, employee numbers, and web site address.
2. **Corporate Information** – Includes, but is not limited to, organization or business type and Small Business Association (SBA)-defined socioeconomic characteristics.
3. **Goods and Services Information** – Includes, but is not limited to, North American Industry Classification System (NAICS) code, Product Service (PSC) code, and Federal Supply Classification (FSC) code.
4. **Financial Information** – Includes, but is not limited to, financial institution, American Banking Association (ABA) routing number, account number, remittance address, lock box number, automated clearing house (ACH) information, and credit card information.
5. **Point of Contact (POC) Information** – Includes, but is not limited to, the primary and alternate points of contact and the electronic business, past performance, and government points of contact.
6. **Electronic Data Interchange (EDI) Information** – Includes, but is not limited to, the EDI point of contact and his or her telephone, e-mail, and physical address. (Note: EDI Information is optional and may be provided only for those businesses interested in conducting transactions through EDI.)

Once a grantee has registered within CCR, the registration is valid for 12 months. The grantee must renew his/her registration each year. If a grantee's registration is expired or inactive, the user must get his/her registration reset by calling the CCR helpline at 866-606-8220.

Eligible Applicants

The following entities are eligible to apply directly to FEMA under this solicitation:

Volunteer Fire Departments may apply for funding in the following categories:

- Hiring of Firefighters Category (hiring career firefighters)
 - Hiring of New Firefighters Activity
 - Rehiring of Firefighters Activity
- Recruitment & Retention of Volunteer Firefighters Category
- Both categories; if the applicant wishes to apply for both categories, two separate applications must be completed, one for each category

Combination Fire Departments may apply for funding in the following categories:

- Hiring of Firefighters Category
 - Hiring of New Firefighters Activity
 - Rehiring of Firefighters Activity
- Recruitment & Retention of Volunteer Firefighters Category
- Both categories; if the applicant wishes to apply for both categories, two separate applications must be completed, one for each category

Note: Each of the above eligible applicants is limited to one application for recruitment and retention and/or one application for hiring per application period.

Example: An applicant may not submit two applications for the same category (e.g., Hiring of Firefighters Category) during a single application period. Should this occur, both applications would be disqualified.

Career Fire Departments may apply for funding in the following category:

- Hiring of Firefighters Category
 - Hiring of New Firefighters Activity
 - Rehiring of Firefighters Activity

Municipalities and fire districts may submit applications on behalf of fire departments lacking the legal status to do so, such as those under the support of the municipality or district. Each eligible applicant is limited to one application for hiring per application period.

Example: An applicant may not submit two applications for the same category (e.g., Hiring of Firefighters Category) during a single application period. Should this occur, both applications would be disqualified.

Statewide or local volunteer firefighter interest organizations representing the interests of volunteer firefighters and individual fire departments (volunteer or combination) may apply for funding for regional projects under Recruitment & Retention of Volunteer Firefighters Category.

In completing the Department Characteristics section of the application, the regional applicant must include data approximating the characteristics of the entire region affected by the grant.

For additional information, see the *Eligibility Criteria* section of this FOA.

Type of Funding Instrument: Grant Cooperative Agreement Loan

Cost Share or Match: Cost Match Cost Share None Required

Maintenance of Effort: Is there a Maintenance of Effort (MOE) requirement? Yes No

Management and Administration: Administrative costs up to 3 percent of the awarded amount are allowable under the Recruitment and Retention Activity only.

FULL ANNOUNCEMENT

I. Funding Opportunity Description

Program Overview and Priorities

The Department of Homeland Security (DHS) Federal Emergency Management Agency's (FEMA) Grant Programs Directorate implements and administers the Staffing for Adequate Fire and Emergency Response (SAFER) Grants.

SAFER Grants provide financial assistance to help provide funding directly to fire departments and volunteer firefighter interest organizations in order to help them increase or maintain the number of trained, "front line" firefighters available in their communities through the hiring of new firefighters, rehiring firefighters that have been laid off, retaining firefighters facing imminent layoffs, or filling of positions that were vacated through attrition.

The goal of the SAFER Grants is to assist local fire departments with staffing and deployment capabilities in order to respond to emergencies, assuring communities have adequate protection from fire and fire-related hazards.

FEMA strongly encourages applicants, to the extent practicable, to seek, recruit, and hire post-9/11 veterans to increase their ranks within their departments in order to take advantage of the provisions of the VOW To Hire Heroes Act of 2011, including veteran hiring tax credits. More information on the tax credits can be found at <http://www.irs.gov/businesses/small/article/0,,id=253949,00.html>. In FY 2012, all SAFER Applicants who have a policy in place addressing their intent to implement strategies to support this Act and to have recruiting efforts aimed at post-9/11 veterans will receive additional consideration.

Program Objectives

SAFER intends to improve or restore local fire departments' staffing and deployment capabilities so they may more effectively respond to emergencies. With enhanced or restored staffing levels, grantees could see a reduction in their response times and an increase in the number of trained personnel assembled at the incident scene.

While not required for a SAFER Grant, it is preferable that the enhanced or restored staffing levels of all SAFER Grantees should improve the safety of firefighters by ensuring all first-arriving apparatus are staffed with a minimum of four qualified personnel (to meet NFPA standards) who are capable of initiating the suppression response. Ultimately, SAFER Grantees should achieve more efficient responses and safer incident scenes thereby ensuring communities have improved protection from fire and fire-related hazards.

SAFER Grants are comprised of two primary categories: the Hiring of Firefighters Category and the Recruitment & Retention of Volunteer Firefighters Category. The highest priority in the Hiring of Firefighters Category is for departments seeking to rehire firefighters who have been laid off.

Hierarchy of Priorities

First priority: Rehiring laid-off firefighters

Second priorities: Retention of firefighters who face imminent layoff and/or filling positions vacated through attrition but not filled due to economic circumstances

Third priority: Hiring new firefighters

The exceptions to these priorities are the requirements that no less than 15 percent of available funds be awarded to new hire applicants as discussed in the Hiring of New Firefighters Activity (See Part IV. Funding Restrictions), and the statutory requirement to award no less than 10 percent of available funds to volunteer and mostly volunteer departments.

Under the Recruitment & Retention Category, the highest priority is to assist departments experiencing a high rate of turnover and with staffing levels significantly below the ideal staffing level required to comply with NFPA standards 1710 or 1720.

II. Funding Information

Award Amounts, Important Dates, and Extensions

Available Funding for the FOA: \$320,625,000

Projected Award Start Date(s): 9/10/2012

Projected Award End Date(s): 9/30/2013

Period of Performance: 24 months under the Hiring of Firefighters Activity; up to 48 months for the Recruitment & Retention of Volunteer Firefighters Activity

Period of Performance

Is an extension to the period of performance permitted? Yes No

Extensions to the period of performance will be considered only through formal requests to FEMA with specific and compelling justifications why an extension is required. All extension requests must be submitted to FEMA at least 60 days prior to the end of the period of performance and must address:

- Reason for delay;
- Current status of the activity/activities;
- Approved period of performance termination date and new project completion date;
- Remaining available funds;
- Budget outlining how remaining funds will be expended;
- Plan for completion, including milestones and timeframes for achieving each milestone and the position/person responsible for implementing the plan for completion; and
- Certification that the activity/activities will be completed within the extended period of performance without any modification to the original Statement of Work approved by FEMA.

III. Eligibility Information

The following applicant types are ineligible to apply under this announcement:

Ineligible Applicants	
<ul style="list-style-type: none"> • Federal fire departments and fire departments under contract to the Federal Government whose sole responsibility is the suppression of fires on federal installations or lands • For-profit fire departments and organizations (i.e., do not have specific nonprofit status or are not municipally based) • Ambulance services, Emergency Medical Service organizations, rescue squads, auxiliaries, dive teams, and urban search and rescue teams • Non-federal airport and/or port authority fire departments whose sole responsibility is suppression of fires on the airport grounds or port facilities, unless the airport/port fire department 	<ul style="list-style-type: none"> • In the Hiring of Firefighters Category, local and statewide organizations representing the interests of volunteer firefighters, supporting firefighter volunteerism, or otherwise having an interest in volunteer firefighters • Fire stations that are part of, controlled by, or under the day-to-day operational direction of a larger fire department or agency, or are not independent • State and local agencies, such as forest service, fire marshals, emergency management offices, hospitals, and training offices • Career fire departments are not eligible for the Recruitment & Retention Activity

Ineligible Applicants

has a formally recognized arrangement with the local jurisdiction to provide fire suppression on a first-due basis outside the confines of the airport or port facilities

IV. Funding Restrictions

Restrictions on Use of Award Funds

Hiring of Firefighters Category

Eligible Expenses

The only eligible costs under the Hiring of Firefighters Category for new or rehired firefighters activity are the following:

- Salary
- Associated benefits (actual payroll expenses)

SAFER Funding will pay for the total salary and benefit costs for each funded position.

- Firefighters that are employees at time of and/or hired prior to the award date, except if applying under the retention activity, are not eligible under the Hiring of Firefighters Category.
- Overtime costs are not eligible. However, costs for overtime fire departments routinely pay as a part of the base salary or the firefighter's regularly scheduled and contracted shift hours are eligible in order to comply with the Fair Labor Standards Act.
- Federal employees are prohibited from serving in any capacity (paid or unpaid) on any proposal submitted for this grant opportunity. Federal employees may not receive funds under this award.
- Only full-time positions will be funded. A full-time position is one position that is funded for at least 2,080 hours per year, i.e., 40 hours per week, 52 weeks per year. However, recognizing many departments have shifts exceeding a 40-hour workweek, FEMA also will consider funding the job-sharing of a full-time position if the grantee has sufficient justification. A job-share position is a full-time position occupied by more than one person.

Example: A department may hire two part-time staff persons at 28 hours each to fulfill the scheduled work hours of one 56-hour shift position.

Ineligible Expenses

- Pre-application costs, such as grant writer fees, administrative costs, and indirect costs associated with hiring of firefighters
- Costs for training and equipping firefighters (however, the salaries and benefits of firefighters hired under the SAFER Grants while they are engaged in training are eligible.)
- Costs for uniforms and physicals
- Funds to support additional hired positions or funds received from federal, state, or local sources cannot be used to supplant normal operating budgets unless a waiver has been granted.

Volunteer and mostly volunteer fire departments may hire individuals to fill officer-level positions such as chief, fire inspector, training officer, safety officer, etc.

However, since the purpose of SAFER Grants is to enhance incident scene safety, all applicants must certify the primary assignment of all SAFER-funded firefighters will be an operational assignment (e.g., fire suppression) regardless of collateral duties.

Recruitment & Retention Category

Eligible Expenses

Applicants who propose to initiate a recruitment and retention plan as a part of their application receive equal consideration. Proposals for this category may include providing incentives for volunteer firefighter members to continue service in a fire department.

Examples of initiatives that may receive funding include, but are not limited to:

- Insurance packages such as accidental death and dismemberment (AD&D), disability, health, dental, life
- Reimbursement to the member while attending required basic training (e.g., compensation for lost wages, mileage, lodging, per diem)
- Marketing costs to recruit new volunteer members
- Station internet access
- Computers in common areas
- LED/electronic signs (note: 75 percent of usage must be dedicated to Recruitment & Retention Activities – additional restrictions apply; see Appendix I, Part III, Section B, Other Allowable Costs')
- Station duty uniforms for new recruits (pants, shirts, hats)
- Non-uniform clothing (t-shirts, jackets, pullovers, etc.) when as part of an award program
- Station modifications (e.g., converting space into bunkroom - restrictions apply; see *the Environmental Historic Preservation (EHP) section under Appendix I, Part III, Section B,*

Eligible Expenses

Other Allowable Costs')

- Salary and benefits for a recruitment and retention coordinator
- Physicals (consistent with NFPA 1582) for new recruits only
- Explorer, cadet, and mentoring programs (See "Appendix I, Part III, Section B, Other Allowable Costs" for additional information on these programs)
- Staffing needs assessment
- Administrative costs up to 3 percent of the awarded amount
- Tuition assistance for higher education (including college tuition *and not limited to firefighter training or education*) and professional certifications (**Note:** Coursework or certifications in this category should be above and beyond what the department typically funds for required minimum-staffing firefighter certification. Books and lab fees are eligible, but computers are not)
- Costs for training not regularly covered under the department's operating budget
- Awards Program for participation in operational activities (e.g., length of service plaques, gift cards, non-uniform clothing, etc. for responding to incidents, attending operational training - however, payments may not be retroactive for service prior to award)
- Establish a new Length of Service Award Programs (LOSAP) (funding of existing programs or retroactive payments are not eligible)
- Mileage reimbursement for operational activities (e.g., responding to incidents, attending training)
- Turnout gear after the new recruit undergoes a physical
- With proper justification, applications for funding in the Recruitment & Retention Activity could include activities requiring up to four years to complete
- For each activity requested, the applicant must establish the link between the activities for which funding is being requested and the identified recruitment and/or retention problems or issues to be addressed. FEMA will not fund activities without the applicant having made a sufficient correlation between the activity and its positive effect on the recruitment and/or retention of volunteer firefighters
- All funded activities under Recruitment & Retention must be governed by formally adopted standard operating procedures (SOPs). Minimally, these SOPs should specify who qualifies for each of the incentives, specific requirements for earning the incentives, and the disposition of the awarded incentives if an individual fails to fulfill the stipulations
- The limited funding available for SAFER Activities precludes the award of funding for operational activities, such as the purchase of firefighting equipment and vehicles. Personal protective clothing may be funded for newly recruited firefighters, but personal protective equipment for other types of members or existing members is not eligible

Ineligible Expenses

- Costs incurred prior to award
- Fire suppression equipment/vehicles
- Communication equipment including portable radios or computer-aided dispatch (CAD) systems
- Payments or recognition for service prior to award (i.e., no retroactive payments)
- Cash payments for non-operational activities
- Payments for travel to and/ or participation in leisure activities such as theatre tickets, entertainment tickets and trips (professional ball games, etc.)
- Costs associated with award banquets, such as food, refreshments, entertainment, or rental facilities. Reimbursement for actual awards (e.g., plaques, and trophies) is eligible
- Costs for training regularly covered under the department's operating budget, such as tuition or instructor fees for department-mandated, basic-level training
- Services at a member's personal residence (e.g., internet access, plowing of driveways, etc.)
- Furniture, TVs, fixtures, appliances (refrigerators, etc.), entertainment equipment (Exception: furniture for newly converted bunkrooms is eligible)
- "Giveaways" such as pencils, pens, t-shirts, cups, mugs, balloons, etc. for recruitment events
- Fees for courses and training that are also available free of charge on the internet or at a state/local training facilities (NIMS 100, 700, 800, etc.)

V. Application Review and Selection Information

Application Review Information

All complete and eligible applications are evaluated based on the substance of the application relative to the established SAFER Grant funding priorities. The answers to activity-specific questions as well as information under Department Characteristics provide the basis to determine the application's standing relative to stated priorities. This initial evaluation assesses how closely each application matches the program's established priorities (see information on the funding priorities in *Part I. Funding Opportunity Description*).

Applications most consistent with the SAFER Grant funding priorities score higher in the automated evaluation than those applications not aligned with the priorities. The initial scores are combined later with the scores of the applications after they receive peer review evaluations, with each score representing 50 percent of the total application score with respect to the final award determinations.

A panel of at least three Peer Review Panelists perform the second phase of the applications' evaluations. These panelists evaluate the application using the Narrative Statement, along with the

answers to the general questions and the activity-specific questions, to determine the worthiness of the request for an award. Each application is judged on its own merits against established criteria and is not compared to other applications.

Panelists will evaluate and score the following criteria:

1. Hiring of Firefighters Category Narrative Elements

The Narrative Statement for applications requesting funding in this category **must include** the following four elements. Each element will be evaluated independently by the Peer Review Panelist. The relative weight of the evaluation criteria in the determination of the grant award is listed below.

- a. **Project Description (30%):** This statement should describe why the applicant needs the grant funds, i.e., how the requested firefighters will be used within the department and a description of the specific benefit these firefighters will provide for the fire department and community. If the applicant is requesting funding under the Rehiring of Firefighters Activity, the Narrative should provide details as to when and why the vacancies occurred and how the vacancies have affected the service to the community. Applications must also discuss how the grant would enhance the department's ability to protect critical infrastructure.
- b. **Impact on Daily Operations (30%):** This statement should explain how the community and current firefighters are at risk without the requested firefighters, and to what extent that risk will be reduced if the applicant is awarded. What impact will the funded positions have on NFPA compliance?
- c. **Financial Need (30%):** This statement should explain the applicant's organizational budget and its inability to address the need without federal assistance, including other actions the applicant has taken to meet their staffing needs.
- d. **Cost Benefit (10%):** This statement should explain, as clearly as possible, what benefits your department and/or your community will realize if the project described is funded (e.g., anticipated savings and/or efficiencies).
- e. **Veterans Preference (Additional Consideration):** Applicants should explain whether they have a policy in place addressing their intent to implement strategies to support the VOW to Hire Heroes Act of 2011 and to have recruiting efforts aimed at post-9/11 veterans.
- f. **Performance (Additional Consideration):** Applicants should explain whether they have a proven record of accomplishment for timely project completion and satisfactory performance of other AFG, FP&S, and SAFER Awards.

2. Recruitment and Retention of Volunteer Firefighters Activity Narrative Elements

The Narrative Statement for applications requesting funding for this category **must include** the following four elements. The relative weight of the evaluation criteria in the determination of the grant award is listed below. Each following element will be evaluated independently by the Peer Review Panelists:

- a. **Project Description (30%):** This statement should describe how the applicant will use the grant funds. The project description should include:
 - How the recruitment of new volunteer firefighters and/or retention of current volunteer firefighters will impact the department's or organization's identified operational needs or capabilities
 - A description of the specific benefit these firefighters will provide for the fire department(s) or community
 - A description of the recruitment and/or retention problems or issues the department has identified
 - How the activities being requested address those identified needs
 - Specifics about the recruitment and/or retention plan
 - Specifics about which activities are part of the regional request and which activities are exclusive to the host applicant, if applicable
 - A list of the participating third-party organizations that will benefit from the regional project, if the project is approved
- b. **Impact on Daily Operations (30%):** This statement should explain how the community and current firefighters (or geographic areas of concern for an eligible organization) are at risk without the requested firefighters, and to what extent that risk will be reduced if the applicant is awarded.
- c. **Financial Need (30%):** This statement should explain the applicant's organizational budget and its inability to address the need without federal assistance, including other actions the applicant has taken to meet their staffing needs.
- d. **Cost Benefit (10%):** This statement should explain, as clearly as possible, what benefits your department and/or your community will realize if the project described is funded (e.g., anticipated savings and/or efficiencies). Is there a high benefit for the cost incurred? Are the costs reasonable? Provide justification for the budget items relating to the cost of the requested items.

- e. **Performance (Additional Consideration):** Applicants should explain whether they have a proven track record for timely project completion and satisfactory performance in other AFG, FP&S, and SAFER Awards.

Application Selection Process

Specific Funding Parameters

The appropriated funds are to be administered as indicated:

- 15 percent is set aside for the hiring of new firefighters.
- 10 percent is set aside for the recruitment and retention of volunteer firefighters.
- 10 percent is set aside for grants awarded to volunteer or mostly volunteer departments for hiring of firefighters. A mostly volunteer fire department is made up of more than 50 percent of personnel who do not receive financial compensation for their services, other than life, health, and worker's compensation insurance, or a stipend payment such as paid-on-call. It may be necessary to go out of rank order to select a sufficient number of applications in order to meet the 10 percent requirement.
- If less than 10 percent of the funds available for the hiring of firefighters are awarded to volunteer and mostly volunteer fire departments, the remaining funds must be transferred to the provide grants for the recruitment and retention of volunteer firefighters.

VI. Post-Selection and Pre-Award Guidelines

Notice of Award

FEMA will commence the panel review process within 60 days of the end of the application period. Award decisions for the FY 2012 program will be completed on or before September 30, 2013.

Administrative and Federal Financial Requirements

All successful applicants for all DHS Grant and Cooperative Agreements are required to comply with DHS Standard Administrative Terms and Conditions available on page 6 of <http://www.dhs.gov/xlibrary/assets/cfo-financial-management-policy-manual.pdf>.

A complete list of Federal Financial Requirements is available at:
http://www.whitehouse.gov/omb/grants_forms

In addition to the DHS Standard Administrative Terms and Conditions administrative, financial, and reporting requirements list any program-specific administrative and financial reporting requirements successful applicants must comply with once they have received funds.

This information should allow successful applicants to identify any conditions of an award prior to accepting an award.

Programmatic Reporting Requirements

Reporting requirements must be met throughout the life of the grant (refer to the Program Guidance and the special conditions found in the award package for a full explanation of these requirements).

Any reports or documents prepared as a result of this grant shall be in compliance with federal “plain English” policies, directives, etc.

- 1. Federal Financial Report (FFR) – required semi-annually.** Recipients of any SAFER Grants awarded on or after October 1, 2009 are required to submit a semi-annual Federal Financial Report (FFR, SF-425). The FFR, to be submitted using the online e-Grant system, will be due semi-annually based on the calendar year beginning with the period after the award is made. Grant recipients will be required to submit a FFR throughout the entire period of performance of the grant.

Reporting periods and due dates:

- January 1 – June 30; due July 30
- July 1 – December 31; due January 30

- 2. Financial and Compliance Audit Report.** Recipients that expend \$500,000 or more of federal funds during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with GAO’s *Government Auditing Standards*, located at <http://www.gao.gov/govaud/ybk01.htm>, and *OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations*, located at <http://www.whitehouse.gov/sites/default/files/omb/circulars/a133/a133.pdf>.

Audit reports are currently due to the Federal Audit Clearinghouse no later than nine months after the end of the recipient’s fiscal year.

In addition, the Secretary of Homeland Security and the Comptroller General of the United States shall have access to any books, documents, and records of recipients of FY 2012 assistance for audit and examination purposes, provided that, in the opinion of the Secretary or the Comptroller, these documents are related to the receipt or use of such assistance. The grantee will also give the sponsoring agency or the Comptroller, through any authorized representative, access to, and the right to examine all records, books, papers, or documents related to the grant.

The state shall require that sub-grantees comply with the audit requirements set forth in *OMB Circular A-133*. Recipients are responsible for ensuring that sub-recipient audit reports are received and for resolving any audit findings.

- 3. Monitoring.** Grant recipients will be monitored periodically by FEMA staff, both programmatically and financially, to ensure the project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met.

Monitoring will be accomplished through a combination of desk-based reviews and on-site monitoring visits. Monitoring will involve the review and analysis of the financial, programmatic,

performance, and administrative issues relative to each program and will identify areas where technical assistance and other support may be needed.

The recipient is responsible for monitoring award activities, to include sub-awards, to provide reasonable assurance that the federal award is administered in compliance with requirements. Responsibilities include the accounting of receipts and expenditures, cash management, maintaining of adequate financial records, and refunding expenditures disallowed by audits.

- 4. Grant Closeout Process.** Within 90 days after the end of the period of performance, grantees must submit a final FFR and final progress report detailing all accomplishments throughout the period of performance. After these reports have been reviewed and approved by FEMA, a closeout notice will be completed to close out the grant. Any unobligated funds will be de-obligated at the end of the closeout period.

The notice will indicate the period of performance as closed, list any remaining funds that will be deobligated, and address the requirement of maintaining the grant records for three years from the date of the final FFR. The grantee is responsible for returning any funds that have been drawdown but remain as unliquidated on grantee financial records.

Required submissions

- (1)** Final SF-425; due 90 days from end of grant period
- (2)** Final progress report; due 90 days from the end of the grant period

VII. DHS FEMA Contact Information

Contact and Resource Information

This section describes several resources that may help applicants in completing a FEMA Grant Application.

SAFER Help Desk

The SAFER Program Staffs a Help Desk throughout the application period. The Help Desk can provide assistance with navigation through the automated application, as well as provide programmatic assistance with respect to questions of eligibility. The Help Desk can be contacted at 1-866-274-0960 or via e-mail at firegrants@dhs.gov. The Help Desk hours of operation during the application period are from 8:00 a.m. to 4:30 p.m., Monday through Friday. All times listed are eastern daylight times.

Centralized Scheduling and Information Desk (CSID)

CSID is a non-emergency comprehensive management and information resource developed by DHS for grants stakeholders. CSID provides general information on all FEMA Grant Programs and maintains a comprehensive database containing key personnel contact information at the federal, state, and local levels. CSID can be reached by phone at (800) 368-6498 or by e-mail at ASKCSID@dhs.gov, Monday through Friday, 8:00 AM – 6:00 p.m. (ET).

Grant Programs Directorate (GPD)

FEMA GPD's Grants Management Division will provide fiscal support, including pre- and post-award administration and technical assistance, to the grant programs included in this solicitation. Additional guidance and information can be obtained by contacting the FEMA Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov.

FEMA Regional Fire Program Specialists

Each of the FEMA regions has specialists that can assist applicants with the application process. Interested parties may contact the SAFER Help Desk for information on the nearest regional specialists.

VIII. Other Critical Information

Additional Information: N/A

IX. How to Apply

DHS makes all funding opportunities available through the common electronic “storefront” grants.gov, accessible on the Internet at <http://www.grants.gov>. If you experience difficulties accessing information or have any questions, please call the grants.gov customer support hotline at (800) 518-4726.

Applications are accessible via <http://www.fema.gov/firegrants>. The automated application is designed with help screens and drop-down menus to assist the applicant throughout the application process. Applicants can save their work and retrieve it for updates and revisions through the end of the application period.

X. Application and Submission Information

Applicants will obtain FOA Overviews and Full Announcement information from the grants.gov Web site where the full FOA is posted.



For a hard copy of the full announcement, please call:

Assistance to Firefighters Grant Help Desk

1-866-274-0960

Applications will be processed through <http://www.fema.gov/firegrants>.

Appendix I

STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANTS PROGRAM

What's New – Fact Sheet

Available Funding

Appropriated Amount - \$337,500,000

Available for Funding - \$320,625,000

New Tools

Updated Get Ready Guide – A handy guide to give you a kick start in prepping your grant application and better prepare you to thoroughly answer the application questions is available at <http://www.fema.gov/firegrants>.

Quick Reference Guide – A reference guide to assist you in answering application questions and funding priorities is available at <http://www.fema.gov/firegrants>.

Guidance and Application Kit

- **Appendix I – Application and Review Information**

- **Part I.** Funding Opportunity Description

- Program priorities are listed as High **H**, Medium **M**, or Low **L**.

- Within each identified program priority (H, M, L); all the proposed activities have an equal value.

- **Part II.** Award Information

- **Part III.** Eligibility Information

- **Part IV.** Application and Submission Information

- **Part V.** Application Review Information

- **Appendix II – Award Administration Information**

- **Part I.** Award Administration Information

- **Part II.** FEMA Contacts

- **Part III.** Other Information

Note: These changes **ONLY** affect the FY 2012 SAFER Grants; the new conditions are **NOT** retroactive and may not remain in effect beyond FY 2012.

Additional Overview Information – Key Changes

The content of this Program Guidance reflects the Department of Homeland Security (DHS) Secretary and FEMA's implementation of the Federal Fire Prevention and Control Act of 1974, (codified, as amended, at 15 U.S.C. §2229a et seq.).

Under authorities provided under the Federal Fire Prevention and Control Act of 1974, as amended, the following requirements are being waived for the FY 2012 SAFER Grants Program:

Salary limits: There are no annual salary limits.

Retention commitment: Grantees in the Hiring of Firefighters Category do not have to commit to retaining the SAFER-funded firefighters.

Supplanting requirement: Grants may be used for the purposed of retaining firefighters currently employed who are facing imminent lay-offs or rehiring laid-off firefighters.

If applying to retain firefighters facing lay-offs, applicants will answers questions within the online application as if these positions had already been laid off.

Period of performance: For Hiring of Firefighters Category Grants, the period of performance has been reduced to two years.

Attrition of firefighters during the period of performance: Grantees who are unable to back-fill firefighting positions that were vacated due to documentable economic hardship may petition FEMA for a waiver of staffing maintenance requirements. In order to qualify for this waiver, the economic hardship must affect the entire public safety sector in your jurisdiction, not only the fire department. Waivers will not be granted for SAFER-funded positions.

Under the Hiring of Firefighters Category, we will distinguish between grants to hire new firefighters and grants to rehire laid-off firefighters, giving applications for the rehiring of firefighters who have been laid off the highest priority over any other hiring request.

Part I.

FUNDING OPPORTUNITY DESCRIPTION

A. Introduction

The Department of Homeland Security (DHS) Federal Emergency Management Agency's (FEMA) Grant Programs Directorate implements and administers the Staffing for Adequate Fire and Emergency Response (SAFER) Grants.

SAFER Grants provide financial assistance to help provide funding directly to fire departments and volunteer firefighter interest organizations in order to help them increase the number of trained, "front line" firefighters available in their communities rehire firefighters that have been laid off, retain firefighters facing imminent layoffs, or filling of positions that were vacated through attrition.

SAFER Goal

Assist local fire departments with staffing and deployment capabilities in order to respond to emergencies, assuring communities have adequate protection from fire and fire-related hazards.

Maintenance of Staffing Requirement

For Hiring of Firefighters Category Grants, FY 2012 grantees who are unable to back-fill firefighting positions that were vacated due to documentable economic hardship may petition FEMA for a waiver of staffing maintenance requirements. In order to qualify for this waiver, the economic hardship must affect the entire public safety sector in your jurisdiction, and not only the fire department. Waivers will not be granted for SAFER-funded positions.

Period of Performance

For Hiring of Firefighters Category Grants, the period of performance has been reduced to two years.

Salary Cap Waiver

There are no annual salary limits.

Retention of Firefighters

For Hiring of Firefighters Category Grants, FEMA will consider petitions for waivers on supplanting in light of the applicable waiver provisions. The primary intent for the supplanting waiver is to assist departments that have issued a formal layoff notice.

This includes a specific date for the layoff action, prior to the start of the application period, and those who face imminent layoff within 90 days of the close of the application period.

Layoffs

For Hiring of Firefighters Category Grants, SAFER Grantees that lay off any firefighters during the SAFER Grant's period of performance will be considered in default of their award and the grant will be terminated.

B. Criteria Development Process

Each year, FEMA convenes a panel of fire service professionals to develop funding priorities for AFG Grant opportunities. The panel makes recommendations about funding priorities as well as developing criteria for awarding grants.

The nine major fire service organizations represented on the panel include:

- International Association of Fire Chiefs
- International Association of Fire Fighters
- National Volunteer Fire Council
- National Fire Protection Association
- National Association of State Fire Marshals
- International Association of Arson Investigators
- International Society of Fire Service Instructors
- North American Fire Training Directors
- Congressional Fire Service Institute

The content of this SAFER Program Guidance reflects implementation of the criteria development panel's recommendations with respect to the priorities, direction, and criteria for awards. Based on the recommendations, funding priority is given to applications that effectively address the evaluation elements as outlined.

1. Hiring of Firefighters Category

The highest priority in the Hiring of Firefighters Category is for departments seeking to rehire firefighters who have been laid off.

Hierarchy of Priorities

First priority: Rehiring laid-off firefighters

Second priorities: Retention of firefighters who face imminent layoff and/or filling positions vacated through attrition but not filled due to economic circumstances

Third priority: Hiring new firefighters

The exceptions to these priorities are the statutory requirements that no less than 15 percent be awarded to new hire applicants as discussed in the Hiring of New Firefighters Activity, and the statutory requirement to award no less than 10 percent of funds to volunteer and mostly volunteer departments.

a. Rehiring of Firefighters Activity

Under the rehiring of firefighters activity there are three categories:

- Rehiring of laid-off firefighters
- Retention of firefighters facing possible layoffs
- Filling of attrited positions

These grants are awarded directly to combination and career fire departments to enable restoration of staffing levels to attain a more effective level of response and a safer incident scene.

Rehiring

Eligible positions for funding under the **Rehiring of Laid-Off Firefighters** Activity must have been the object of a layoff between January 1, 2008 and the application deadline (August 10, 2012).

Retention

Firefighters who have been issued a formal layoff notice, which includes a specific date for the layoff action, prior to the start of the application period, and those who face imminent layoff – within 90 days of the close of the application period – will be eligible for SAFER funding under the Retention category.

The application period closes on August 10, 2012 and therefore the layoffs must become effective on or before November 8, 2012.

Note: Any layoff action not executed in accordance with the terms of the official layoff notice or which does not meet the above requirements may not qualify for funding in the rehiring of laid-off firefighters or retention categories. Applicants that do not meet these parameters must apply under the attrition category or Hiring New Firefighters Activity.

Attrition

Eligible vacancies for funding under the attrition category must have occurred between January 1, 2008 and the start of the application period.

Funding provides fire departments with money to pay the salaries and benefits (exclusive of overtime) for grants awarded under the rehiring, retention, and/or attrition categories.

Grantees must maintain staffing at the level that existed at the time of award as well as the SAFER-funded staffing for the two-year commitment.

Laying off firefighters during the two-year commitment will result in termination of the grant award.

Only firefighters hired or rehired **after** the SAFER Grant award date, except if applying under the retention category, are eligible for grant funding.

b. Hiring of New Firefighters Activity

New Hire

FEMA has set aside no less than 15 percent of the FY 2012 appropriation for hiring new firefighters.

Grants for hiring new firefighters are awarded directly to volunteer, combination, and career fire departments to help fire departments increase their cadre of frontline firefighters.

Funding provides fire departments with money to pay the salaries and benefits of newly hired firefighters (exclusive of overtime).

Laying off firefighters during the commitment will result in termination of the grant award.

Only firefighters hired **after** the SAFER Grant award date are considered new hires and eligible for grant funding.

c. Meeting National Standards

It is FEMA's priority to bring non-compliant (NFPA 1710 or 1720) departments back into compliance in the most economical manner.

Applicants will be asked general questions about the NFPA standard they are attempting to meet as well as their current ability to meet that standard (without including the use of overtime). Applicants will then be asked to indicate what their ability will be to meet that same standard if they are awarded grants funds.

Having more firefighters on staff should improve the local fire department's abilities to comply with the staffing, response, and operational standards that enhance community and firefighter safety.

Therefore, applications resulting in the largest percentage increases in compliance with the relevant section of NFPA 1710 (for career departments) and/or 1720 (for volunteer departments) receive higher consideration than applications resulting in smaller percentage increases in compliance.

Note: SAFER Grants focus only on the Deployment or Staffing and Deployment sections of these two standards, respectively.

NFPA 1710 Assembly Requirements: Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Department (*Section 5.2.4.2 – Initial Full Alarm Assignment Capability*)

This standard applies primarily to all-career fire departments and combination departments if the combination department chooses it.

NFPA 1720 Assembly Requirements: Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments (*Section 4.3 – Staffing and Deployment*)

This standard applies primarily to all-volunteer fire departments, but it may also apply to combination departments if the combination department does not choose to comply with the NFPA 1710 standard. The tables below identify the priority levels for current and new compliance with the NFPA 1710/1720 standard.

Current 1710/1720 Compliance Priorities	
H Never or 0%	M Half the time or 40-59%
H Rarely or 1-19%	L Very often or 60-79%
M Sometimes or 20-39%	L Most of the time or 80-99%

New 1710/1720 Compliance Priorities	
H Always or 100%	M Half the time or 40-59%
H Most of the time or 80-90%	L Sometimes or 20-39%
M Very often or 60-79%	L Rarely or 1-19%

Need More Information?
<p>For more information about these two standards, visit http://www.nfpa.org.</p> <p>For more information on the standards, contact NFPA at 1-800-344-3555 or e-mail questions to stds_admin@nfpa.org.</p>

d. Call Volume and Population Served

Department call volume and population served are both factors in the initial application evaluation. Departments responding to a higher number of incidents and departments who protect larger numbers of people will receive higher consideration than those departments responding to fewer incidents and protecting smaller jurisdictions.

e. Firefighter Health Measures

The health and wellbeing of firefighters is of paramount importance. Therefore, applicants who indicate newly recruited firefighters will undergo an entry-level physical and receive immunizations receive higher consideration than applicants who do not specify these benefits will be provided. To qualify for this higher consideration, the physicals must be consistent with those required under NFPA 1582 Chapter 6, Medical Evaluations of Candidates 6.1 and Chapter 9, Essential Job Tasks — Specific Evaluation of Medical Conditions in Members.

Entry-Level Medical Exams

H NFPA 1582-compliant physicals

M Non-NFPA-compliant physicals

Annual Medical Exams

H NFPA 1582-compliant physicals

M Non-NFPA-compliant physicals

f. Automatic and Mutual Aid

Automatic and Mutual Aid

H Fire departments that have formal automatic and/or mutual aid agreements, and applicants that based requests on a staffing needs assessment, also receive higher consideration.

g. Training Requirements

Timeliness of Training

H Applicants will receive higher consideration if the personnel funded under the grant will meet the minimum EMS certification requirements prescribed by the locality or state having jurisdiction.

Timeliness of Certifications	
H EMS	L No
	L N/A – no EMS

2. Recruitment and Retention of Volunteer Firefighters Category

The purpose of these grants is to assist fire departments with the recruitment and retention of volunteer firefighters who are involved with or trained in the operations of firefighting and emergency response.

The grants are intended to create a net increase in the number of trained, certified, and competent firefighters capable of safely responding to emergencies within the grantee’s geographic response area.

a. Meeting Staffing Standards

The goal under this SAFER Category is to assist departments experiencing a high rate of turnover and have staffing levels significantly below the ideal staffing level required to comply with NFPA standards 1710 or 1720 (For details, see “c. Meeting National Standards” under “1. Hiring of Firefighters Grants” earlier in this document.)

Departments who currently have the lowest recruitment and retention rates are given a higher consideration for funding.

b. Volunteer Membership

Departments or organizations with the highest percentage of volunteers should benefit the most from the recruitment and retention of volunteer firefighters. Therefore, applicants whose membership is comprised of mostly volunteer members, or have a significant number of volunteer firefighters, receive higher consideration.

Percentage of Volunteers	
H 91-100%	M 41-50%
H 81-91%	M 31-40%
H 71-80%	L 21-30%
H 61-70%	L 11-20%

Percentage of Volunteers

M 51-60%

L 1-10%

c. Recruitment/Retention Plan

It is critical to have a plan for recruitment and/or retention activities. Applications requesting funding for recruitment and/or retention programs should be based on formal plans. Applicants must summarize the departments' recruitment and retention plans in the Narrative and explain how the projects/activities applied for under the applications will fulfill the plans.

R&R Priorities

H Departments that perform a periodic evaluation of the program's impact

H Requests from departments that have a coordinator and marketing plan

H Request funding for a coordinator's position and marketing plan

d. Call Volume and Population Served

Department call volume and population served are both factors in the initial evaluation. Departments responding to a higher number of incidents and departments who protect larger numbers of people will receive higher consideration than those departments responding to fewer incidents and protecting smaller jurisdictions.

e. Firefighter Health Measures

Applicants who indicate the newly recruited firefighters will undergo an entry-level physical and receive immunizations, who indicate they will provide annual medical exams, and who provide worker's compensation/Accidental Death & Dismemberment (AD&D) benefits to their members receive higher consideration than applicants who do not specify these benefits will be provided.

An application may include a request for physicals or annual medical exams. In order to receive the grant, funding for the physicals and medical exams must be consistent with those required under NFPA 1582, Chapter 6, Medical Evaluations of Candidates 6.1 and Chapter 9, Essential Job Tasks — Specific Evaluation of Medical Conditions in Members.

Entry-Level Medical Exams

H NFPA 1582-compliant physicals

M Non-NFPA-compliant physicals

Annual Medical Exam

H NFPA 1582-compliant physicals

M Non-NFPA-compliant physicals

Worker's Compensation/AD&D

H Firefighters currently provided with worker's compensation/accidental death and dismemberment insurance receive a higher competitive rating.

M Applicants who plan to supply worker's compensation/accidental death and dismemberment insurance with grant funds receive a more competitive rating.

f. Training Requirements

Timeliness of Training

H Applicants will receive higher consideration if they will train the newly recruited firefighters to meet the minimum fire and EMS certification requirements prescribed by the locality or state within 24 months of appointment to the department.

Training and Certification

H FF II/EMT

M FF I

H FF II

L First Responder

M FF I/EMT

g. Regional Requests

Requests for recruitment and/or retention activities that have a regional impact (i.e., an impact beyond the immediate boundaries of the applicant's first-due area) will receive higher consideration.

An eligible applicant, which includes a fire department or a volunteer group, may act as a "host applicant" and apply for support of both a regional initiative and its own department's internal needs on one application.

A regional host must include a list of all the participating organizations benefitting from a proposed regional project, and provide clear and detailed information on which activities are regional specific versus those that are host specific.

In order to apply for a regional project, the host organization must agree, if awarded, to be responsible for all aspects of the grant. This includes, but is not limited to, accountability for the

assets and all reporting requirements. AFG strongly recommends all organizations involved have some kind of documentation for distribution of grant funded assets and financial responsibility in place prior to any award.

In the regional application, the host organization will be required to describe the characteristics of the entire region that will be affected by the project as outlined in Part IV, *Application Submission Information*.

The applicant must include in the Narrative section of the application a list of participating third-party organizations that will benefit from the regional project if the project is approved. In completing the “Department Characteristics” section of the application, the regional applicant must include data that approximates the characteristics of the entire region affected by the grant. The third-party organizations that will benefit from the recruitment and retention project may also apply for funding under SAFER, as long as the third-party organizations do not apply for a project that could conflict with, or duplicate, the host applicant’s project.

Note: Only applications submitted under the Recruitment & Retention of Volunteer Firefighter Category qualify for regional project requests. The Hiring of Firefighters Category is not eligible as a regional project.

Part II.

AWARD INFORMATION

This section summarizes the award period of performance and the total amount of funding available under the FY 2012 SAFER Grants. It also describes the basic method used to determine final grant awards and identifies all eligible applicants for funding.

Hiring of Firefighters Category

A recruitment period of 90 days, which begins when the application is approved for award, is available for all grantees under the Hiring of Firefighters Category regardless of whether the grant is for hiring new firefighters or for the rehiring of firefighters activity.

The two year period of performance starts after the 90-day recruitment period, regardless of whether the grantee has been able to hire the requested firefighters.

However, if a grantee is able to rehire and/or hire their SAFER-funded firefighters during the 90-day recruitment period, the period of performance may begin at that time. For grantees awarded under the retention category, the period of performance can begin immediately.

Recruitment & Retention of Volunteer Firefighters Category

Funding is provided for periods of up to four years. There is a 90-day recruitment period, which begins when the application is approved for award. The recruitment period allows each grantee time

to put contracts into place outside of the period of performance in order to maximize the availability of the funding. Grantees will be allowed to seek reimbursement for grant-related costs incurred during the recruitment period as long as these costs are in the approved budget and scope of work.

Grantees should be aware if costs incurred during the recruitment period are charged to the grant, this will reduce the overall amount of funds available and budgeted for the period of performance. Payment for these costs may be requested when the period of performance begins. However, if a grantee is able to begin their recruitment and/or retention activities during the 90-day recruitment period, the period of performance may begin at that time.

Part III.

ELIGIBILITY INFORMATION

A. Cost Sharing

There is no prescribed cost share for the SAFER Grantees receiving awards from the FY 2012 appropriations.

B. Other Allowable Costs

In order to help alleviate the financial burden of start-up costs, FEMA will allow Recruitment & Retention Grantees to charge the SAFER Grant for the costs for physicals and personal protective equipment for newly recruited members.

Funds are available to acquire primarily OSHA-required and NFPA-compliant PPE for firefighting personnel. Only actual costs are allowed and will be paid on a reimbursable basis. However, the allowable costs may be limited, as determined reasonable by FEMA. Grantees are required to provide documentation to support the purchase of the turnout gear.

Equipment requested must meet all current mandatory requirements, as well as any national and/or state standards. Equipment requested should have the goal of increasing firefighter safety.

The following charts contain information on the eligibility of PPE. Copies of NFPA standards may be reviewed at (<http://www.NFPA.org>).

Eligible PPE Expenditures	
<ul style="list-style-type: none">PPE for structural or wildland firefighting (including boots, pants, coats, gloves, hoods, goggles, helmets, coveralls, and fire shelters)	<ul style="list-style-type: none">American National Standards Institute (ANSI)-approved retro-reflective highway apparel

Ineligible PPE Expenditures

- Three-quarter length rubber boots
- SCBAs, spare cylinders, and individual face pieces
- Bomb disposal suits
- PPE for hazardous materials and other specialized incidents.

Training on Use of Requested Equipment

Applicants must indicate that the grant-purchased PPE will be utilized by adequately trained staff and/or request appropriate training for the requested items. Failure to meet this requirement may result in ineligibility for PPE funding.

Physicals

Grantees may request funds for costs incurred for providing the new recruits with physicals. All grant-funded physicals must meet NFPA 1582 standards (Chapter 6, Medical Evaluations of Candidates 6.1 and Chapter 9, Essential Job Tasks — Specific Evaluation of Medical Conditions in Members). Grantees' new members must obtain and must pass the physical before seeking reimbursement.

Remodeling/Renovations of Existing Facilities

The remodeling/renovations to an existing facility are only allowable under the Recruitment & Retention of Volunteer Firefighters Category. The renovations must be minor interior alterations costing less than \$10,000.

Eligible applicants must provide a cost breakdown in the Request Details section. The costs must be justified in the Narrative section as well.

Remodeling/renovations may not change the footprint or profile of the building. Any request for modifications to facilities may require Environmental and Historic Preservation (EHP) review. See below for more information on EHP.

Explorer/Cadet Programs

Programs that include demonstrated recruitment plans, training plans (to include tuition reimbursement), insurance and designated adult leadership receive higher consideration than applicants who do not include this level of detail in their request. Eligible items under these programs include, but are not limited to the following:

- Uniforms, boots, gloves, jackets

Explorer/Cadet Programs

- Training (Non-Immediate Danger to Life and Health (IDLH))
- Turnout Gear (Not to be used in an IDLH atmosphere)
- Insurance
- Coordinator's Position
- Workers Compensation Insurance
- Transportation Costs
- Medical Exams

Items that are NOT eligible under Explorer/Cadet Programs include the following:

- SCBA
- Anything involving the IDLH atmosphere
- Vehicles
- Warning Lights for Private Vehicles
- Any activities precluded by the authority having jurisdiction

Environmental Historic Preservation (EHP)

FEMA is legally required to consider the potential impacts of all grant-funded projects on environmental resources and historic properties. For SAFER and other preparedness grant programs, this is accomplished via FEMA's EHP Review. Grantees must comply with all applicable EHP laws, regulations, and Executive Orders (EOs) in order to draw down their FY 2012 SAFER Grant Funds.

Any project with the potential to impact natural resources or historic properties cannot be initiated until FEMA has completed the required FEMA EHP review. Grantees that implement projects prior to receiving EHP approval from FEMA risk de-obligation of funds.

AFG Projects that involve the installation of equipment, ground-disturbing activities, and new construction, including communication towers or modification/renovation of existing buildings or structures, must undergo a FEMA EHP Review. Activities not specifically excluded from a FEMA EHP Review also will require EHP Review per the GPD Programmatic Environmental Assessment (PEA). For more information on the PEA, see Information Bulletin 345 and <http://www.fema.gov/pdf/government/grant/bulletins/fonsi.pdf>.

Furthermore, for those proposed construction or renovation projects that are part of larger projects funded from a non-FEMA source (such as an EOC that is part of a larger proposed public safety complex), a FEMA EHP Review must be complete before the larger project is initiated. For these types of projects, grantees must complete the FEMA EHP Screening Form (OMB Number 1660-0115/FEMA Form 024-0-01) and submit it, with all supporting documentation, to the GPD EHP team at GPDEHPInfo@fema.gov for review.

Grantees should submit the FEMA EHP Screening Form for each project as soon as possible upon receiving the grant award. Refer to Information Bulletins 329, 345, and 356 located at <http://www.fema.gov/government/grant/bulletins/index.shtm> and *Appendix II, Part I.B.5.6* for further details on EHP requirements.

C. Other Funding Restrictions

FEMA Grant Funds may be used only for the purpose outlined in the grant and must be consistent with the statutory authority for the award.

Grant Fund Restrictions

Grant funds may not be used for matching funds for other federal grants/cooperative agreements, lobbying, or intervention in federal regulatory or adjudicatory proceedings.

In addition, federal funds may not be used to sue the Federal Government or any other government entity. Failure to adhere to the award conditions will cause the grantee to be considered in default of the grant agreement, and may require the return of all federal funds disbursed under the grant.

Pre-award costs are not allowable for SAFER Grants.

D. Reasonableness of Requests

The Peer Review Panelists consider all budgeted expenses as part of the cost-benefit determination and may recommend appropriate adjustments. Regardless of the eligibility of any costs requested or the panelists' determination, FEMA reserves the right to reduce any requests for funding, in whole or in part, that it deems excessive or otherwise contrary to the best interests of the program.

Part IV.

APPLICATION AND SUBMISSION INFORMATION

A. Program Narrative

In the application, fire departments applying for SAFER Grants will be asked general questions about their organization and community, as well as questions specific to the proposed project. State or local volunteer interest groups will be asked a number of general questions regarding their organizations and a series of activity-specific questions relative to the Recruitment & Retention Projects they propose and the activities selected. The activity-specific questions allow FEMA to understand the nature of the request and to evaluate how closely the request adheres to the established priorities.

Applicants will also be required to provide a written Narrative Statement describing the planned project. The Narrative portion of the application must provide specific details of the activity for which applicants are seeking funding, including budget details. Applicants must be sure each of the requested activities, i.e., each line item in the Request Details section of the application, is fully described in the Project Description portion of the Narrative Statement. Each element must provide information regarding how the proposed activity is related to the applicant's hiring or recruitment and retention program.

In applications for recruitment and retention, the applicants must also provide details regarding how volunteers will qualify for the incentives (who is eligible for initiatives funded under the grant, and discuss any prerequisites). For example, an organization might withhold paying stipends until members participate in a minimum number of operational activities.

Applicants should save their work often as the electronic application includes a time-out feature. If no-save activity is detected for a period of time, the applicant will time-out and all information that is not saved could be lost. Therefore, it is recommended that applicants type the Narrative information off-line using either a word processing program, such as MS Word, Word Perfect, Notepad, etc., to avoid losing any information.

Once the Narrative is complete, the applicants can then cut-and-paste the text into the appropriate sections within the Narrative section of the application. Please note the Narrative block does not allow for formatting. Do not type your Narrative using only capital letters. Additionally, do not include tables, special fonts (e.g., quote marks, bullets, etc.), or graphs.

Space for the Narrative is limited. Once you save the Narrative to the application, log-out and then log back in to the application to assure the information was saved successfully.

B. Funding Restrictions

Please see *Part III, Eligibility Information* for a list of funding restrictions.

SAFER GRANTS DEFINITIONS

For the purposes of the SAFER Grants, the following definitions apply.

Attrition: A gradual reduction in work force without firing of personnel, as when workers resign or retire and are not replaced.

Automatic-aid: An agreement whereby fire departments are dispatched simultaneously on the initial alarm or where fire departments participate in closest-unit response dispatching.

Benefits: Includes regular compensation paid to employees during periods of authorized absences from the job, such as vacation leave, sick leave, military leave, etc. These costs are absorbed by all organization activities in proportion to the relative amount of time or effort actually devoted to each. Employer contributions or expenses for social security, employee insurance, workmen's compensation, pension plan costs, and the like, whether treated as indirect costs or as direct costs, shall be distributed to particular awards and other activities in a manner consistent with the pattern of benefits accruing to the individuals or group of employees whose salaries and wages are chargeable. Overtime expenses, other than those meeting FLSA requirements, are **not** eligible as benefits costs.

Career Fire Department: An agency or organization in which all members receive financial compensation for services (organizations that provide reimbursement on a paid-on-call basis are considered to be a combination fire department for the purposes of this program).

Combination Fire Department: An agency or organization in which at least one active firefighter receives financial compensation for services (including paid-on-call) and/or at least one active firefighter does not receive financial compensation for services, other than life, health, and workers' compensation insurance.

Emergency Medical Services Organization: A public or private organization that provides direct emergency medical services, including medical transport.

Fire Department: An agency or organization that has a formally recognized arrangement with a state, territory, local, or tribal authority (city, county, parish, fire district, township, town, or other governing body) to provide fire suppression on a first-due basis to a fixed geographical area. Fire departments may be comprised of members who are volunteer, career, or a combination of volunteer and career.

Firefighter: An individual having the legal authority and responsibility to engage in fire suppression; employed by a fire department of a municipality, county, or fire district; engaged in the prevention, control, and extinguishing of fires; and/or responding to emergency situations in which life, property, or the environment is at risk. This individual must be trained in fire suppression, but may also be trained in emergency medical care, hazardous materials awareness, rescue techniques, and any other related duties provided by the fire department.

Formal Layoff Notice: Any layoff notice should align with the local rules and regulations that govern civil service employment in the jurisdiction. In order to be reasonable to employees, and to provide employees facing layoff actions a clear understanding of the impending action, any notice of layoff should be in writing and delivered to a specific employee affected by the action. The notice should identify a specific date employment will cease or specific event that would trigger the termination of employment.

The notice should be delivered or otherwise presented directly to the affected employee in advance of the layoff action in accordance with the civil service provisions or union agreement in force in the jurisdiction taking action, e.g., 60 days prior to the effective date of the layoff action. The notice should specify whether the action is permanent or temporary as well as provide the anticipated schedule of layoffs. For the purposes of the SAFER program, a notice that is not executed within the specified terms will be considered void unless an additional notice is provided within 14 days of the original action date.

Initial Full Alarm Assignment: Personnel, equipment, and resources ordinarily dispatched upon notification of a structural fire.

Mostly Career: A department is considered mostly career if 50 percent or more of the active firefighting membership is salaried staff.

Mostly Volunteer: A department is considered mostly volunteer if more than 50 percent of the active firefighting membership is NOT compensated for service other than a nominal stipend and/or insurance.

Mutual-aid: An agreement whereby assisting fire departments are dispatched into another fire department's jurisdiction only when the first-arriving unit on a scene calls for assistance, or when specially requested by dispatch.

Operational Budget: The budget supporting fire-related programs and/or emergency response activities (salaries, maintenance, equipment, apparatus, etc.).

Paid-on-Call: Firefighters who receive a payment or stipend only when involved in an incident or mandatory operational activity. A department whose membership is comprised of paid-on-call firefighters is considered a combination fire department, mostly volunteer for the purposes of this SAFER program.

Part-time Firefighter: A firefighter who works less than 40 hours per week. When more than one part-time firefighter shares a position that results in work in excess of 40 hours per week, FEMA considers that shared assignment to be a full-time equivalent (FTE) position that must be accounted for in the staffing information provided in the application.

State: Any of the 50 states, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

Statewide or Local Volunteer Firefighter Interest Organizations: Organizations that support or represent the interests of firefighters in front of legislative bodies at the local, state, and federal level. Such organizations include state or local firefighter and/or fire chiefs' associations, volunteer



firefighter relief organizations, and associations. FEMA shall make the final determination as to whether an applicant is an appropriate firefighter interest group.

Staffing and Deployment: The minimum staffing requirements to ensure a sufficient number of members are available to operate safely and effectively as defined in NFPA 1710 and 1720, as well as OSHA Respiratory Protection standard 29 CFR 1910.134(g)(4)(i) and 29 CFR 1910.134(g)(4)(ii).

Volunteer Fire Department: An agency or organization in which no member receives financial compensation (in the form of salary or wages) for their services other than life and health insurance, workers' compensation insurance and/or stipend per call. FEMA considers a department to be mostly volunteer if more than 50 percent of its membership is made up of personnel who do not receive financial compensation for services.

Appendix II

AWARD ADMINISTRATION INFORMATION

Due to continued stakeholder feedback and recommendations, the Grant Programs Directorate (GPD) has reformatted its “Preparedness Grant Programs” guidance and application kits. The kits are now structured into two separate documents, referred to as *Appendix I* and *Appendix II*. While both are important documents for grantees to study and thoroughly familiarize themselves with, *Appendix I* is intended to help grantees during the application phase of a particular preparedness grant program

Appendix II – Award Administration Information - is intended to help grantees in understanding the rules and regulations associated with administering federally funded grant awards. In previous years with preparedness grant guidance kits, the standard financial, administrative, and legal information now found in *Appendix II* had been historically embedded as part of each individual preparedness kit. GPD has pulled out this standard financial, administrative, and legal information from each individual preparedness kit and has created *Appendix II* as a stand-alone supplement, which complements and is inherently related to each of the individual preparedness grant programs.

A. Grantee Responsibilities

SAFER Award recipients (grantees) must agree to the following:

1. Perform all tasks (scope of work) as outlined in the grantee’s application approved by FEMA, and comply with all special conditions in accordance with the articles of agreement and within the period of performance. Grantees that do not fulfill their obligations under these grants will be considered in default and may be required to return the federal funds disbursed under the grant award.
2. Grantees under the Hiring of Firefighters Activity who layoff any firefighters during the two-year period of performance will be considered in default of their grant and the award will be terminated.
3. Grantees under the Hiring of Firefighters Activity must agree to maintain the SAFER-funded positions as well as the number of positions declared at the time of award throughout the two year commitment unless the grantee has been afforded a waiver of this requirement. Waivers will not be granted for SAFER-funded positions. Grantees who fail to maintain this level of staffing risk losing the federal funds awarded under this grant. Be advised, firefighters hired prior to the award are not eligible for SAFER-funding, except if awarded positions under the retention activity.

4. Retain grant files and supporting documentation for three years after receipt of the official notification that the grant has been closed. FEMA may require access to any pertinent books, documents, papers, or records belonging to a grant recipient. The DHS Office of Inspector General or the Comptroller General of the United States may also require access to a grantee's books and records.

The required documentation for federally funded purchases should include specifications, solicitations, competitive quotes or proposals, basis for selection decisions, purchase orders or contracts, invoices, and cancelled checks. Grantees who fail to document purchases may find their expenditures will be questioned and possibility disallowed.

5. Provide periodic performance reports in conjunction with the automated payment requests to FEMA. In all years of the grant's period of performance, for both the Hiring of Firefighters and the Recruitment & Retention of Volunteer Firefighters Activities, grantees must submit performance reports with each payment request, as well as a final performance report at grant closeout. Payments are requested on-line using the automated system and payments are based on actual expenses incurred during the period covered by the payment request. Quarterly performance reporting is required when the grantee has not requested funding within the quarter.

At the end of the grant's period of performance, all grantees are required to produce a final report on how the grant funding was used and the benefits realized from the award. Grantees must submit a final financial report and a final performance report (i.e., closeout report) within 90 days after the end of the period of performance. After these reports have been reviewed and approved by FEMA, grantees are given an official notice that the closeout has been accepted and completed. Any remaining grant funds are de-obligated. The grantee is responsible for returning any funds that have been drawdown but remain unliquidated.

6. Administer the grant in accordance with the administrative rules for federal grants and cooperative agreements, specifically 44 CFR part 13.
7. Follow the audit requirements of OMB Circular A-133, Audits of states, local governments, and nonprofit organizations, which calls for grantees who expend \$500,000 or more in federal funds in a year (from all federal sources) to have a single audit performed in accordance with the Circular. (For more information about the Circulars, go to <http://www.whitehouse.gov/omb/circulars>.)
8. Notwithstanding any provision of other laws, firefighters hired under these grants shall not be discriminated against, or be prohibited from, engaging in volunteer firefighting activities in another jurisdiction during off-duty hours.
9. Homeland Security Presidential Directive-5 requires that, beginning October 1, 2005, all recipients of federal preparedness funds (including recipients of federal grants and contracts) adopt the National Incident Management System (NIMS) as a condition for the receipt of the federal funds.

Recipients of FY 2012 SAFER Grants will be considered to be in compliance with the NIMS requirement if the grantee:

- (a) Has an operational knowledge of the Incident Command System (ICS)
- (b) Has an understanding of NIMS' principles and policies
- (c) Agrees to adopt and/or comply with all directives, ordinances, rules, orders, edicts, etc., passed down by the local or state authorities with respect to incident management

Responders who have already been trained in ICS do not need retraining if their previous training is consistent with DHS standards. In order for us to document compliance, grantees will be required to certify their compliance with the NIMS/ICS requirements as part of their grant closeout process. Grantees may contact their State Emergency Preparedness Officer or State Fire Marshal for local NIMS compliance requirements.

10. To the extent possible, grantees should seek, recruit, and appoint women and members of racial and ethnic minority groups to increase their ranks within the applicant's department (see eligibility requirements).
11. FEMA strongly encourages applicants, to the extent practicable, to seek, recruit, and hire post-9/11 veterans to increase their ranks within your department in order to take advantage of the provisions of the VOW To Hire Heroes Act of 2011, including veteran hiring tax credits. More information on the tax credits can be found at <http://www.irs.gov/businesses/small/article/0,,id=253949,00.html>. In FY 2012, all SAFER applicants who have a policy in place addressing their intent to implement strategies to support this Act and to have recruiting efforts aimed at post-9/11 veterans will receive additional consideration.
12. **Competition:** Grantees may use their own procurement procedures, which reflect applicable state and local laws and regulations, provided the procurements conform to applicable federal laws and standards. All procurement transactions shall be conducted in a manner that provides, to the maximum extent practical, open, and free competition. Grantees are expected to promote competition and ensure advantageous pricing by soliciting bids from multiple vendors.

Purchases shall be made from the vendor whose bid is responsive to the solicitation and is most advantageous to the grantee when price, quality, and other factors are considered. Grantees who fail to adhere to their own procurement policy, or otherwise fail to fully compete any purchase involving federal funds may be subject to questioning and subsequently disallowed costs.

13. **Specification:** Specifications shall clearly show all requirements the bidder will fulfill in order for the bid or offer to be evaluated. However, those specifications may not be so narrowly constructed or contain features that limit, restrict, or eliminate competition unnecessarily.

Grantees may, when developing solicitations, list factors that will be used in their evaluation of proposals as long as those evaluation factors are not found to limit competition. Finally, grantees cannot impose in-state or local geographical preferences in the evaluation of bids or proposals.

Applicants and grantees are encouraged to obtain product information from vendors in order to be more informed about the items they plan to purchase. However, grantees may not use specifications obtained from vendors for any solicitation with federal grant funds if the specifications would be found to be restrictive. It is the grantee's responsibility to assure vendor specifications are not used in a manner that would result in restricting or limiting competition.

Additionally, if a vendor or manufacturer drafts, writes, edits, critiques, or provides any direct consultation on a grant application, that vendor or manufacturer cannot submit a bid for that purchase. Likewise, if a vendor or manufacturer drafts, writes, edits, or critiques a specification to be used for the solicitation for the purchase of a specific product, that vendor or manufacturer cannot submit a bid for that purchase. See *Conflicts of Interest* below.

Grantees shall, on request, make available pre-award review and procurement documents such as requests for proposals or invitations for bids, and independent cost estimates if 1) the purchase specifies a brand name product, or 2) the proposed grant is to be awarded to someone other than the apparent low bidder under a sealed bid process.

Grantees found to be using proprietary, or otherwise limiting specifications, may find their expenditures questioned and subsequently disallowed.

- 14. Personal and Organizational Conflicts of Interest:** In order to ensure objective vendor performance and eliminate a real or apparent unfair competitive advantage, anyone who develops or drafts specifications, requirements, statements of work (including the grant application), invitations for bids, and/or requests for proposals shall be excluded from competing for such procurements.

Additionally, no employee, officer, or agent of the grantee shall participate in the selection, award, or administration of a procurement supported by federal funds if a real or an apparent conflict of interest would be involved.

A conflict of interest could arise when any of the following conditions exists:

- (a) An officer, employee, or agent of the grantee has a financial or other interest in the vendor selected for the procurement
- (b) Any member of the grantee's officers', employees', or agents' immediate family has a financial or other interest in the vendor selected for the procurement
- (c) An organization that employs a grantee's officer, employee, or agent is a vendor or has a financial or other interest in the vendor selected for the procurement.

For the purposes of this program, DHS considers volunteers of an organization and grant writers to be employees, officers, and/or agents of the grantee. No volunteer or member of an organization or anyone involved in the application for funding can participate in, or benefit from, the procurement if federal funds are involved.

Grantees that purchase items with grant funds from vendors who employ any of their volunteers/members will have to document how they avoided a conflict of interest during the procurement process (i.e., specific details regarding how the members/volunteers removed themselves, or how they were prevented from participating in the process).

Grantees who fail to document fully their purchases may find that their expenditures will be questioned and subsequently disallowed.

B. Administrative and National Policy Requirements

The recipient and any sub-recipient(s) must, in addition to the assurances made as part of the application, comply and require each of its subcontractors employed in the completion of the project to comply with all applicable statutes, regulations, executive orders, OMB Circulars, terms and conditions of the award, and the approved application. For additional clarification on Administrative and National Policy Requirements, applicants can view Information Bulletins from FEMA's Grant Programs Directorate at <http://www.fema.gov/government/grant/bulletins/index.shtm>.

1. Standard Financial Requirements. The grantee and any subgrantee(s) shall comply with all applicable laws and regulations. A non-exclusive list of regulations commonly applicable to DHS Grants are listed below:

1.1 – Administrative Requirements

- Office of Management and Budget (OMB) Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (also known as the “A-102 Common Rule”), found under DHS regulations at Title 44, Code of Federal Regulations (CFR) CFR Part 13, *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*
- OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, relocated to 2 CFR Part 215

1.2 – Cost Principles

- OMB Circular A-21, Cost Principles for Educational Institutions, relocated to 2 CFR Part 220
- OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, relocated to 2 CFR Part 225

- OMB Circular A-122, Cost Principles for Non-Profit Organizations, relocated to 2 CFR Part 230
- OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations
- 48 CFR Part 31.2, Federal Acquisitions Regulations (FAR), Contracts with Commercial Organizations

1.3 – Audit Requirements

Improper Payments Information Act (IPIA) of 2002,

(Public Law 107-300)

Enacted to ensure the correct use of federal funds and to avoid improper or erroneous payments.

1.4 – Duplication of Benefits

- There may not be a duplication of any federal assistance by governmental entities, per 2 CFR Part 225, Basic Guidelines Section C.3 (c), which states: Any cost allocable to a particular federal award or cost objective under the principles provided for in this Authority may not be charged to other federal awards to overcome fund deficiencies, to avoid restrictions imposed by law or terms of the federal awards, or for other reasons. However, this prohibition would not preclude governmental units from shifting costs that are allowable under two or more awards in accordance with existing program agreements. Non-governmental entities are also subject to this prohibition per 2 CFR Parts 220 and 230 and 48 CFR 31.2.

- 2. Payment.** DHS/FEMA uses the Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment to Recipients. To enroll in the DD/EFT, the Recipient must complete a Standard Form 1199A, Direct Deposit Form, found by cutting and pasting the following link into your web browser: <http://www.fms.treas.gov/eft/1199a.pdf>.

FEMA utilizes the Assistance to Firefighters e-Grants System for the full lifecycle of the grant. Please use the following link to access the system <https://portal.fema.gov/famsVuWeb/home>.

2.1 – Payment. In accordance with Treasury regulations at 31 CFR Part 205, the Recipient shall maintain procedures to minimize the time elapsing between the transfer of funds and the disbursement of said funds (See 44 CFR Part 13.21(i)) regarding payment of interest earned on advances. In order to request an advance, the Recipient must maintain or demonstrate the willingness and ability to maintain procedures to minimize the time elapsing between the transfer of funds from DHS and expenditure and disbursement by the Recipient. When these requirements are not met, the Recipient will be required to be on a reimbursement for costs incurred method.

NOTE: Funds will not be automatically transferred upon issuance of the grant. Grantees must submit a request for advance/reimbursement (sf-270) in order for the funds to be transferred to the grantee's account.

3. Technology Requirements

4.1 – National Information Exchange Model (NIEM)

FEMA requires all grantees to use the latest NIEM processes, specifications, and guidelines regarding the use of interoperable Extensible Markup Language (XML) for all grant awards. Further information about the required use of NIEM specifications and guidelines is available at <http://www.niem.gov>.

4.2 – Geospatial Guidance

Geospatial technologies capture, store, analyze, transmit, and/or display location-based information (i.e., information that can be linked to a latitude and longitude). FEMA encourages grantees to align any geospatial activities with the guidance available on the FEMA Web site at <http://www.fema.gov/grants>.

4.3 – 28 CFR Part 23 Guidance

FEMA requires that any information technology system funded or supported by these funds comply with 28 CFR Part 23, *Criminal Intelligence Systems Operating Policies*.

4.4 – Best Practices for Government Use of CCTV

DHS recommends grantees seeking funds to purchase and install closed circuit television (CCTV) systems, or funds to provide support for operational CCTV systems, review and utilize the guidance in *Best Practices for Government Use of CCTV: Implementing the Fair Information Practice Principles* available on the DHS Privacy Office Web site at http://www.dhs.gov/xlibrary/assets/privacy/privacy_rpt_cctv_2007.pdf.

4.5 – Best Practices for Collection and Use of Personally Identifiable Information (PII)

DHS recommends that all grantees who collect PII have a publicly available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate. Grantees may also find as a useful resource the DHS *Privacy Impact Assessments: The Privacy Office Official Guidance* and in the *Privacy Impact Assessment Template* (available on the DHS Privacy Office Web site at http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf and http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_template.pdf, respectively).

4. Administrative Requirements

5.1 Housing and Retrieval of Homeland Security Information

Freedom of Information Act (FOIA)

FEMA recognizes that much of the information submitted in the course of applying for funding under this program or provided in the course of its grant management activities may be considered law enforcement sensitive or otherwise important to national security interests. While this information under federal control is subject to requests made pursuant to the *Freedom of Information Act* (FOIA), 5 U.S.C. §552, all determinations concerning the release of information of this nature are made on a case-by-case basis by the FEMA FOIA Office, and may likely fall within one or more of the available exemptions under the Act. The applicant is encouraged to consult its own state and local laws and regulations regarding the release of information, which should be considered when reporting sensitive matters in the grant application, needs assessment and strategic planning process. The grantee should be familiar with the regulations governing Sensitive Security Information (49 CFR Part 1520), as it may provide additional protection to certain classes of homeland security information.

Sensitive But Unclassified (SBU)

SBU is a designation of information in the United States Federal Government that, though unclassified, often requires strict controls over its distribution. SBU is a broad category of information that includes material covered by such designations as For Official Use Only (FOUO), Law Enforcement Sensitive (LES), Sensitive Homeland Security Information, Security Sensitive Information (SSI), Critical Infrastructure Information (CII), etc. Some categories of SBU information have authority in statute or regulation (e.g., SSI, CII) while others, including FOUO, do not.

Sensitive Security Information (SSI)

Information submitted in the course of applying for funding or reporting under certain programs or provided in the course of an entity's grant management activities under those programs, which is under federal control, is subject to protection under SSI, and must be properly identified and marked. Sensitive Security Information (SSI) is a control designation used by the Department of Homeland Security related to protecting information related to transportation security. It is applied to information about security programs, vulnerability and threat assessments, screening processes, technical specifications of certain screening equipment and objects used to test screening equipment, and equipment used for communicating security information relating to air, land, or maritime transportation. The applicable information is spelled out in greater detail in 49 CFR Part 1520.7.

Protected Critical Infrastructure Information (PCII)

The PCII Program, established pursuant to the *Critical Infrastructure Act of 2002* (Public Law 107-296) (*CII Act*), created a framework which enables members of the private sector, states, local jurisdictions, and Tribal nations to voluntarily submit sensitive information regarding critical infrastructure to DHS. The Act provides statutory protection from public disclosure and civil litigation for CII that is validated as PCII. When validated as PCII, the information can only

be shared with government employees who complete the training requirement, who have homeland security duties, and a need to know.

PCII accreditation is a formal recognition that the covered government entity has the capacity and capability to receive and store PCII appropriately. DHS encourages all states, local jurisdictions, and Tribal nations to pursue PCII accreditation to cover their government agencies. Accreditation activities include signing a memorandum of agreement (MOA) with DHS, appointing a PCII Officer and developing a standard operating procedure for handling PCII. For additional information about PCII or the accreditation process, please contact the DHS PCII Program Office at pcii-info@dhs.gov.

Chemical-terrorism Vulnerability Information (CVI)

The Department of Homeland Security (DHS) issues a manual to provide guidance on how to identify, handle, and safeguard information developed by private and public entities under Section 550 of Public Law 109-295 and its implementing regulations, the Chemical Facility Anti-Terrorism Standards (CFATS), 6 CFR Part 27. Pursuant to CFATS. This information is known as Chemical-terrorism Vulnerability Information, or CVI, is relevant for anyone authorized to possess or receive CVI (including chemical facility officers, employees, representatives and contractors, and federal, state, local and Tribal government employees and contractors), as well as anyone who obtains what they reasonably should know is CVI. http://www.dhs.gov/xlibrary/assets/chemsec_cvi_proceduresmanual.pdf

Sensitive Personally Identifiable Information (Sensitive PII)

Certain personally identifiable information, if lost, compromised, or disclosed without authorization, could result in substantial harm, embarrassment, inconvenience, or unfairness to an individual and needs to be carefully managed. Social Security number or alien number (A-number), for example, requires stricter handling guidelines because of the increased risk to an individual if compromised. A key part of the DHS mission to protect the homeland is to minimize our impact on individual privacy. In this regard DHS has developed a *Handbook for Safeguarding Sensitive PII, which can be found at* http://www.dhs.gov/xlibrary/assets/privacy/privacy_guide_sp_ii_handbook.pdf. As required by OMB M-07-16, these rules also apply to DHS licensees, certificate holders, and grantees who handle or collect PII, including Sensitive PII, for or on behalf of DHS.

5.2 – Compliance with federal civil rights laws and regulations. The grantee is required to comply with federal civil rights laws and regulations.

Specifically, the grantee is required to provide assurances as a condition for receipt of federal funds that its programs and activities comply with the following:

- **Civil Rights Act of 1964**

All recipients of financial assistance will comply with the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

- **Civil Rights Act of 1968**

All recipients of financial assistance will comply with Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 CFR Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features (see 24 CFR 100.201).

- **Americans with Disabilities Act of 1990**

All recipients of financial assistance will comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. 12101–12213).

- **Age Discrimination Act of 1975**

All recipients of financial assistance will comply with the requirements of the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

- **Title IX of the Education Amendments of 1972 (Equal Opportunity in Education Act)**

All recipients of financial assistance will comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), which provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. These regulations are codified at 44 CFR Part 19.

Grantees must comply with all regulations, guidelines, and standards adopted under the above statutes. The grantee is also required to submit information, as required, to the DHS Office for Civil Rights and Civil Liberties concerning its compliance with these laws and their implementing regulations.

5.3 – Services to Limited English Proficient (LEP) persons. Recipients of FEMA financial assistance are required to comply with several federal civil rights laws, including Title VI of the Civil Rights Act of 1964, as amended. These laws prohibit discrimination on the basis of race, color, religion, natural origin, and sex in the delivery of services. National origin discrimination includes discrimination on the basis of limited English proficiency. To ensure compliance with Title VI, recipients are required to take reasonable steps to ensure that LEP persons have

meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. The grantee is encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs. For additional information, see <http://www.lep.gov>.

5.4 – Certifications and Assurances. Certifications and assurances regarding the following apply:

- *Lobbying.* 31 U.S.C. §1352, *Limitation on use of appropriated funds to influence certain federal contracting and financial transactions.* – Prohibits the use of federal funds in lobbying members and employees of Congress, as well as employees of federal agencies, with respect to the award or amendment of any federal grant, cooperative agreement, contract, or loan. FEMA and DHS have codified restrictions upon lobbying at 44 CFR Part 18 and 6 CFR Part 9. (Refer to form included in application package.)
- *Drug-free Workplace Act,* as amended, 41 U.S.C. §701 et seq. – Requires the recipient to publish a statement about its drug-free workplace program and give a copy of the statement to each employee (including consultants and temporary personnel) who will be involved in award-supported activities at any site where these activities will be carried out. Also, place(s) where work is being performed under the award (e.g., street address, city, state, and zip code) must be maintained on file. The recipient must notify the Grants Officer of any employee convicted of a violation of a criminal drug statute that occurs in the workplace. For additional information, see 44 CFR Part 17.
- *Debarment and Suspension.* – Executive Orders 12549 and 12689 provide protection from fraud, waste, and abuse by debarring or suspending those persons that deal in an irresponsible manner with the Federal Government. The recipient must certify that they are not debarred or suspended from receiving federal assistance. For additional information, see 2 CFR Part 3000.
- *Federal Debt Status.* – The recipient may not be delinquent in the repayment of any federal debt. Examples of relevant debt include delinquent payroll or other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129) (Refer to SF-424, item number 17.)
- *Hotel and Motel Fire Safety Act of 1990.* – In accordance with Section 6 of the *Hotel and Motel Fire Safety Act of 1990*, 15 U.S.C. §2225a, the recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds, complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, 15 U.S.C. §2225.

Grantees must comply with all regulations, guidelines, and standards adopted under the above statutes.

5.5 – Integrating individuals with disabilities into emergency planning

- **Rehabilitation Act of 1973**

All recipients of financial assistance will comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. These requirements pertain to the provision of benefits or services as well as to employment.

For additional detailed information, please refer to the following:

- **FEMA Office of Disability Integration and Coordination.** There are many useful tools available through this office at <http://www.fema.gov/about/oddc>.
- **Guidelines for Accommodating Individuals with Disabilities in Disaster.** These guidelines are available at <http://www.fema.gov/oer/reference/>.
- **Disability and Emergency Preparedness Resource Center.** The “Resource Center” is available at <http://www.disabilitypreparedness.gov>.
- **ADA Best Practices.** The Civil Rights Division within the U.S. Department of Justice provides a resource entitled “the Americans with Disabilities Act (“ADA”) Best Practices Toolkit for State and Local Governments.” The ADA Best Practices Toolkit for State and Local Governments is available at <http://www.ada.gov/pccatoolkit/toolkitmain.htm>.

5.6 – Environmental Planning and` Historic Preservation Compliance

- **National Environmental Policy Act (NEPA) of 1969**

All recipients of financial assistance will comply with the requirements of the National Environmental Policy Act (NEPA), as amended, 42 U.S.C. 4331 et seq., which establishes national policy goals and procedures to protect and enhance the environment, including protection against natural disasters. To comply with NEPA for its grant-supported activities, DHS requires the environmental aspects of construction grants (and certain non-construction projects as specified by the component and awarding office) to be reviewed and evaluated before final action on the application.

For more information on FEMA’s EHP requirements, applicants should refer to:

- **Information Bulletin 329**, Environmental Planning and Historic Preservation Requirements for Grants, available at <http://www.fema.gov/pdf/government/grant/bulletins/info329.pdf>
- **Information Bulletin 345**, Programmatic Environmental Assessment, available at <http://www.fema.gov/pdf/government/grant/bulletins/info345.pdf>

- **Information Bulletin 356**, EHP Screening Form, available at <http://www.fema.gov/pdf/government/grant/bulletins/info356.pdf>

5.7 – Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended, 42 U.S.C. 5121-5206, and Related Authorities

Funds awarded under EMPG Program and EOC Grant Program are subject to the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (Public Law 93-288), as amended. Specifically, 42 U.S.C. 5196, Subtitle A, Powers and Duties, Section 611, Detailed Functions of Administration, Subsection (j)(9), Financial Contributions, requires recipients of funds under Title VI of the Stafford Act for construction projects to comply with the Davis-Bacon Act. Additionally, 42 U.S.C. 5206 requires all recipients of funds under the Stafford Act to comply with the *Buy American Act* (41 U.S.C. 10a et seq.).

5.8 – Equipment Marking

Awardees may consider marking equipment in the following manner, "Purchased with funds provided by the U.S. Department of Homeland Security," in order to facilitate their own audit processes, as well as federal audits and monitoring visits, which may result from receiving federal funding. Equipment maintenance requirements are outlined in 44 CFR Part 13.32.

5.9 – Disadvantaged Business Requirement

Applicants are advised that, to the extent that recipients of a grant use contractors or subcontractors, such recipients shall use small, minority, women-owned, or disadvantaged business concerns and contractors or subcontractors to the extent practicable.

5.10 – National Preparedness Reporting Compliance

The Government Performance and Results Act of 1993 (Public Law 103-62) (GPRA) requires that the Department collect and report performance information on all programs. For grant programs, the prioritized Investment Justifications and their associated milestones provide an important tool for assessing grant performance and complying with these national preparedness reporting requirements. FEMA will work with grantees to develop tools and processes to support this requirement. FEMA anticipates using this information to inform future-year grant program funding decisions. Award recipients must agree to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within their grant agreement. This includes any assessments, audits, or investigations conducted by DHS, the Office of the Inspector General, or the U.S. Government Accountability Office (GAO).

5.11 – Animal Welfare Act of 1966 Animal Welfare Act of 1966

All recipients of financial assistance will comply with the requirements of the *Animal Welfare Act*, as amended (7 U.S.C. 2131 et seq.), which requires that minimum standards of care and treatment be provided for vertebrate animals bred for commercial sale, used in research, transported commercially, or exhibited to the public. Recipients must establish appropriate policies and procedures for the humane care and use of animals based on the *Guide for the*

Care and Use of Laboratory Animals and comply with the *Public Health Service Policy and Government Principles Regarding the Care and Use of Animals*.

5.12 – Clean Air Act of 1970 and Clean Water Act of 1977

All recipients of financial assistance will comply with the requirements of 42 U.S.C. 7401 *et seq.* and Executive Order 11738, which provides for the protection and enhancement of the quality of the nation's air resources to promote public health and welfare and for restoring and maintaining the chemical, physical, and biological integrity of the nation's waters is considered research for other purposes.

5.13 – Protection of Human Subjects

All recipients of financial assistance will comply with the requirements of the federal regulations at 45 CFR Part 46, which requires that recipients comply with applicable provisions/law for the protection of human subjects for purposes of research. Recipients must also comply with the requirements in DHS Management Directive 026-04, *Protection of Human Subjects*, prior to implementing any work with human subjects. For purposes of 45 CFR Part 46, research means a systematic investigation, including research, development, testing, and evaluation, designed to develop or contribute to general knowledge. Activities that meet this definition constitute research for purposes of this policy, whether or not they are conducted or supported under a program that is considered research for other purposes. The regulations specify additional protections for research involving human fetuses, pregnant women, and neonates (Subpart B); prisoners (Subpart C); and children (Subpart D). The use of autopsy materials is governed by applicable State and local law and is not directly regulated by 45 CFR Part 46.

5.14 – National Flood Insurance Act of 1968

All recipients of financial assistance will comply with the requirements of Section 1306(c) of the *National Flood Insurance Act*, as amended, which provides for benefit payments under the Standard Flood Insurance Policy for demolition or relocation of a structure insured under the Act that is located along the shore of a lake or other body of water and that is certified by an appropriate State or local land use authority to be subject to imminent collapse or subsidence as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels. These regulations are codified at 44 CFR Part 63.

5.15 – Flood Disaster Protection Act of 1973

All recipients of financial assistance will comply with the requirements of the *Flood Disaster Protection Act of 1973*, as amended (42 U.S.C. 4001 *et seq.*), which provides that no federal financial assistance to acquire, modernize, or construct property may be provided in identified flood-prone communities in the United States, unless the community participates in the National Flood Insurance Program and flood insurance is purchased within one year of the identification. The flood insurance purchase requirement applies to both public and private applicants for DHS support. Lists of flood-prone areas that are eligible for flood insurance are published in the *Federal Register* by FEMA.

5.16 – Coastal Wetlands Planning, Protection, and Restoration Act of 1990

All recipients of financial assistance will comply with the requirements of Executive Order 11990, which provides that federally funded construction and improvements minimize the destruction, loss, or degradation of wetlands. The Executive Order provides that, in furtherance of Section 101(b)(3) of NEPA (42 U.S.C. 4331(b)(3)), federal agencies, to the extent permitted by law, must avoid undertaking or assisting with new construction located in wetlands unless the head of the agency finds that there is no practicable alternative to such construction, and that the proposed action includes all practicable measures to minimize harm to wetlands that may result from such use. In making this finding, the head of the agency may take into account economic, environmental, and other pertinent factors. The public disclosure requirement described above also pertains to early public review of any plans or proposals for new construction in wetlands. This is codified at 44 CFR Part 9.

5.17 – USA Patriot Act of 2001

All recipients of financial assistance will comply with the requirements of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act* (USA PATRIOT Act), which amends 18 U.S.C. 175–175c. Among other things, it prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose. The act also establishes restrictions on access to specified materials. “Restricted persons,” as defined by the act, may not possess, ship, transport, or receive any biological agent or toxin that is listed as a select agent.

5.18 – Trafficking Victims Protection Act of 2000

All recipients of financial assistance will comply with the requirements of the government-wide award term which implements Section 106(g) of the *Trafficking Victims Protection Act (TVPA) of 2000*, as amended (22 U.S.C. 7104), located at 2 CFR Part 175. This is implemented in accordance with OMB Interim Final Guidance, *Federal Register*, Volume 72, No. 218, November 13, 2007.

In accordance with the statutory requirement, in each agency award under which funding is provided to a private entity, Section 106(g) of the TVPA, as amended, requires the agency to include a condition that authorizes the agency to terminate the award, without penalty, if the recipient or a subrecipient:

- (a)** Engages in severe forms of trafficking in persons during the period of time that the award is in effect
- (b)** Procures a commercial sex act during the period of time that the award is in effect
- (c)** Uses forced labor in the performance of the award or sub-awards under the award

Full text of the award term is provided at 2 CFR 175.15.

5.19 – Fly America Act of 1974

All recipients of financial assistance will comply with the requirements of the Preference for U.S. Flag Air Carriers: Travel supported by U.S. Government funds requirement, which states preference for the use of U.S. flag air carriers (air carriers holding certificates under 49 U.S.C. 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974* (49 U.S.C. 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B138942.

5.20 – Activities Conducted Abroad

All recipients of financial assistance will comply with the requirements that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

All recipients of financial assistance will comply with requirements to acknowledge federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

5.21 – Copyright

All recipients of financial assistance will comply with requirements that publications or other exercise of copyright for any work first produced under federal financial assistance awards hereto related unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations).

For any scientific, technical, or other copyright work based on or containing data first produced under this award, including those works published in academic, technical or professional journals, symposia proceedings, or similar works, the recipient grants the Government a royalty-free, nonexclusive and irrevocable license to reproduce, display, distribute copies, perform, disseminate, or prepare derivative works, and to authorize others to do so, for Government purposes in all such copyrighted works. The recipient shall affix the applicable copyright notices of 17 U.S.C. 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under an award.

5.22 – Use of DHS Seal, Logo and Flags

All recipients of financial assistance must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

5.23 – DHS Specific Acknowledgements and Assurances

All recipients of financial assistance must acknowledge and agree – and require any sub-recipients, contractors, successors, transferees, and assignees acknowledge and agree – to

comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS.
2. Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations *and* other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties.
6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

The United States has the right to seek judicial enforcement of these obligations.

C. Draw Down and Expenditure of Funds

Grantees should not expend funds or request draw downs until all special conditions listed on the grant award document have been met and the award approved for payment in the e-Grants system. Grant recipients should draw down funds based upon immediate disbursement requirements; however, FEMA strongly encourages recipients to draw down funds as close to disbursement or expenditure as possible to avoid accruing interest.

Although advance draw down requests are permissible, grantees remain subject to the interest requirements of the Cash Management Improvement Act (CMIA) and its implementing regulations at 31 CFR Part 205. Interest under CMIA will accrue from the time federal funds are credited to a grantee's account until the time the grantee pays out the funds for program purposes.

D. Reporting Requirements

Reporting requirements must be met throughout the life of the grant (refer to the program guidance and the special conditions found in the award package for a full explanation of these requirements).

Any reports or documents prepared as a result of this grant shall be in compliance with federal “plain English” policies, directives, etc.

- 1. Federal Financial Report (FFR) – required semi-annually.** Recipients of any SAFER Grants awarded on or after October 1, 2009, are required to submit a semi-annual Federal Financial Report (FFR, SF-425). The FFR, to be submitted using the online e-Grant system, will be due semi-annually based on the calendar year beginning with the period after the award is made. Grant recipients will be required to submit a FFR throughout the entire period of performance of the grant.

Reporting periods and due dates:

- January 1 – June 30; due July 30
- July 1 – December 31; due January 30

- 2. Financial and Compliance Audit Report.** Recipients that expend \$500,000 or more of federal funds during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with GAO’s Government Auditing Standards, located at <http://www.gao.gov/govaud/ybk01.htm>, and OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, located at http://www.whitehouse.gov/omb/circulars_default. Audit reports are currently due to the Federal Audit Clearinghouse no later than nine months after the end of the recipient’s fiscal year.

In addition, the Secretary of Homeland Security and the Comptroller General of the United States shall have access to any books, documents, and records of recipients of FY 20121 assistance for audit and examination purposes, provided that, in the opinion of the Secretary or the Comptroller, these documents are related to the receipt or use of such assistance. The grantee will also give the sponsoring agency or the Comptroller, through any authorized representative, access to, and the right to examine all records, books, papers or documents related to the grant.

The state shall require that sub-grantees comply with the audit requirements set forth in *OMB Circular A-133*. Recipients are responsible for ensuring that sub-recipient audit reports are received and for resolving any audit findings.

- 3. Monitoring.** Grant recipients will be monitored periodically by FEMA staff, both programmatically and financially, to ensure the project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met.

Monitoring will be accomplished through a combination of desk-based reviews and on-site monitoring visits. Monitoring will involve the review and analysis of the financial, programmatic, performance and administrative issues relative to each program and will identify areas where technical assistance and other support may be needed.

The recipient is responsible for monitoring award activities, to include sub-awards, to provide reasonable assurance that the federal award is administered in compliance with requirements. Responsibilities include the accounting of receipts and expenditures, cash management, maintaining of adequate financial records, and refunding expenditures disallowed by audits.

- 4. Grant Closeout Process.** Within 90 days after the end of the period of performance, grantees must submit a final FFR and final progress report detailing all accomplishments throughout the period of performance. After these reports have been reviewed and approved by FEMA, a closeout notice will be completed to close out the grant.

The notice will indicate the period of performance as closed, list any remaining funds that will be deobligated, and address the requirement of maintaining the grant records for three years from the date of the final FFR. The grantee is responsible for returning any funds that have been drawdown but remain as unliquidated on grantee financial records.

5. Required Performance and Financial Reports for Grant Closeout:

- Final Performance Report Narrative (within the Closeout module in e-Grants) is due 90 days after the end of the period of performance
- Final SF-425, is due 90 days after the end of the grant period

Required submissions:

- (1) Final SF-425; due 90 days from end of grant period
- (2) Final progress report; due 90 days from the end of the grant period

E. FY 2012 Match Guidance

Introduction

Determining match for the purposes of submitting grant applications to any federal agency should be a coordinated process at the state and local level. It is highly recommended that programmatic staff at the state and local level consult with their financial staff prior to submitting any grant applications, especially those that identify cash or in-kind match. Grantees should ensure that they are thoroughly familiar with the governing provisions, which impact matches: 44 CFR Part 13.24; 2 CFR Part 225; and Program Guidance and/or Regulations.

Types of Match

1. Cash Match

Cash (hard) match includes non-federal cash spent for project-related costs, according to the program guidance. Allowable cash match must only include those costs, which are in compliance with the provisions listed above.

2. In-kind Match

Currently, in-kind matches are not allowable for AFG. In-kind (soft) match includes, but is not limited to, the valuation of in-kind services. In-kind is the value of something received or provided that does not have a cost associated with it. For example, if in-kind match (other than cash payments) is permitted, then the value of donated services could be used to comply with the match requirement. Also, third party in-kind contributions may count toward satisfying match requirements provided the grantee receiving the contributions expends them as allowable costs in compliance with provisions listed above.

F. FY 2012 Requirements Specific to For-Profit Entities

For-profit entities are NOT eligible to apply for the Staffing for Adequate Fire and Emergency Response Program.

Part VI.

FEMA CONTACTS

This section describes several resources that may help applicants in completing a FEMA grant application.

1. Centralized Scheduling and Information Desk (CSID)

CSID is a non-emergency comprehensive management and information resource developed by DHS for grants stakeholders. CSID provides general information on all FEMA grant programs and maintains a comprehensive database containing key personnel contact information at the federal, state, and local levels. CSID can be reached by phone at (800) 368-6498 or by e-mail at ASKCSID@dhs.gov, Monday through Friday, 8:00 AM – 6:00 p.m. (EST).

2. Grant Programs Directorate (GPD)

FEMA GPD's Grants Management Division will provide fiscal support, including pre- and post-award administration and technical assistance, to the grant programs included in this solicitation. Additional guidance and information can be obtained by contacting the FEMA Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov.

3. FEMA Regions

FEMA Regions will provide support, including pre- and post-award administration and technical assistance, to the grant programs included in this solicitation. For a list of contacts, please go to <http://www.fema.gov/about/contact/regions.shtm>.

4. Assistance to Firefighters Grant

Please contact the AFG Program Help Desk with your questions or comments by calling 1-866-274-0960 or send them an e-mail at firegrants@dhs.gov. Additional guidance and information can be obtained by visiting the AFG Web site at: <http://www.fema.gov/firegrants/>.

Part VII.

OTHER INFORMATION

A. Excess Funds

Due to successful competitive bid processes, some grantees have funds remaining after the completion of their obligations outlined above.

SAFER Grantees with excess funds

Hiring of Firefighters Activity Grantees

Grantees that complete the approved scope of work and still have grant funds available must return all excess funds to FEMA.

Recruitment & Retention of Volunteer Firefighters Activity Grantees

Grantees that have completed the approved scope of work in this activity and still have grant funds available may use the excess funds to continue with recruitment or retention activities provided they are consistent with the original scope of work and conducted within the originally approved period of performance. This shall be done through the amendment request process.

B. Turndown Procedure

The SAFER Grants are competitive. Not all applications will be successful, but all applicants will receive a decision letter from FEMA that briefly describes the shortcomings and weaknesses of the application. These aspects are articulated by the technical evaluation process (tep). Due to the historical number of turndowns for these grants, detailed debriefs for all applicants will not be possible.